

United States District Court
District of New Hampshire

U.S. DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

2014 JAN -6 PM 3:53

Vincent Ronald Cooper, prose
Plaintiff

NEW Hampshire State Prison
CO NIMIROWSKI
Defendant(s)

Civil Action No. 14-fp-11
(To be provided by Clerk's Office)

TO BE COMPLETED BY PLAINTIFF
(Check One Only)
☐ DEMAND FOR JURY TRIAL
☐ NO JURY TRIAL DEMAND

COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C § 1983

I. Parties

A. Please provide the following information for each plaintiff:

1. Name Cooper Vincent R.
(Last) (First) (Initial)

2. Place of Detention NEW Hampshire state prison for men

3. Institutional Address PO Box 14 Concord, NH 03302

4. Are you incarcerated pursuant to a pretrial detention order or are you a sentenced inmate?

- ☐ Pretrial Detention Order
☒ Sentenced Inmate

5. Date pretrial detention order was issued or sentence imposed 8-26-13

B. Please provide the full name, current title and address known for each defendant:

1. Name NIMIROWSKI
(Last) (First) (Initial)
2. Title Corrections officer
3. Address NEW Hampshire state prison for men
PO Box 14 Concord, NH 03302

(If the complaint is being made against more than one defendant, please attach additional sheets listing the above information and allegations as follows.)

II. Statement of Claim

For each claim, please include the following information on attached sheets:

1. State which of your federal constitutional or federal statutory rights have been violated.
2. State which defendant(s) have violated that particular right for each allegation.
3. State, with specificity, the facts and circumstances that gave rise to the violations or deprivations alleged.
4. State the harm or damage that resulted from the alleged violation or deprivation.

Allegation 1: Cruel and Unusual Punishment: Violation of Eighth Amendment

Supporting Facts:

On the DATE of DEC 10th 2013 Plaintiff was housed at the "SHU" Special Housing Unit in the NHSP for men. DUE to "SHU" Rules Inmates are cuffed behind the BACK Thru a TRAY slot on the door. Inmate cooper was cuffed up & His cell was Then opened TO EXIT the cell. Inmate cooper Then EXITED the cell. OFFICER NIMIROWSKI STOPPED Inmate cooper & Informed him that when he exits His cell he needs to WALK out BACKWARDS. Inmate cooper walked BACK in his cell & CAME out BACKWARDS. Just as the officer had ASKED. Once out of The cell They began to walk Down the Tier at which Point Inmate cooper ASKED "what was his problem?" officer got on the radio & ASKED control to open up **coopers** cell, officer then Aggressively Started pulling Inmate toward His cell. Inmate ASKED him again what IS your problem. officer replied He did not like muslims & Pushed Inmate. Once & Coopers door Inmate ASKED the officer to take the cuffs off of him & Coopers Pushed Inmate cooper Again. Inmate cooper went into his cell

First Amendment Eighth Amendment

Allegation 2: RLUIPA violation & Cruel & Unusual Punishment

Supporting Facts:

Inmate Cooper IS A muslim Inmate & Receives a NO pork diet. on Tuesday DEC 3rd, WED DEC 4th Inmate Cooper was given a tray which looked like pork Inmate Cooper ASKED The officer for NO pork meals. & Both times HE was told it wasn't pork I think it's BEEF. on Friday DEC 6th The CO'S came again with the same meat that was served on the previous days. Inmate again ASKED for a NO pork meal. CO'S came back with a NO pork meal. when Inmate Cooper IS on a NO-pork diet. He was served pork & Told it was BEEF. This is a violation of this RLUIPA & is Cruel & Unusual punishment.

Allegation 3: _____

Supporting Facts:

(If more space is needed to explain any allegation or to list additional facts, attach additional pages)

III. Relief

You must request specific relief in your Complaint. State briefly exactly what you want the court to do for you (attach additional pages if necessary):

- A) ISSUE a protection order Plaintiff
- B) ORDER Defendant to pay Defendant in the Amount of Twenty Five Thousand dollars. 25,000.00
- C) TO order Prison TO serve "HALAL" MEALS TO Inmate Cooper

Date: 1/3/14

Cooper, Rashad Vincent
Signature of Plaintiff, PROSE

Allegation 1: Continued:

The door was closed & then & which point the cuffs taken off of Inmate Cooper.

Plaintiff states that his Eighth Amendment rights were violated when officer stated he did not like Muslims & was pushed by officer which is assault.

Standards of decency always are violated whether or not significant

injury is evident. *Whitley v. Albers*, *Hudson* 503 US at 7

Allegation 2 continued:

Inmate Cooper has wrote multiple grievances to supervisors about his meals

& only 1 was returned. Inmate Cooper has even asked the Chaplain to

put him on a "HALAL meal" The facility does not provide HALAL meals

They only serve KOSHER MEALS, And vegetarian meals for Muslims not HALAL.

Section B:

Defendant:

NEW HAMPSHIRE STATE PRISON FOR MEN

P.O. Box 14,

Concord NH

Notary Public/Justice of the Peace

O R

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT.

1.3.2014
DATE

Cooper, Vincent P
SIGNATURE

JURY TRIAL DEMAND

I demand a jury trial for all claims for which a jury trial is allowed.

YES (☒) NO (☐)
(check one only)

Date: _____

Signature of Plaintiff